

"IN THE UNITED STATES DISTRICT COURT OF MIDDLE ALABAMA"  
"NORTHERN DIVISION"  
RECEIVED

HAROLD M. ABRAHAMSEN JR.

Plaintiff,

✓

D.T. MARSHALL, et al.,

Defendants

2006 DEC 13 A 10:43

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

CASE #

2:06-cv-1039-WKW  
(WO)

1 "AMENDMENT TO ORIGINAL COMPLAINT FILED"

2 NOW COMES PLAINTIFF; HAROLD M. ABRAHAMSEN JR. AS AN  
3 INDIVIDUAL IN THE ABOVE INTITLED ACTION, TO AMEND  
4 HIS FIVE (5) CAUSE(S) OF ACTION, AGAINST THE DEFENDANT(S)  
5 AS; "MONTGOMERY COUNTY DETENTION FACILITY," as, "SHERIFF,  
6 D. T. MARSHALL" AND as SPECIFIC OTHER EMPLOYEE'S OF THAT  
7 FACILITY AND TO FURTHERMORE BE KNOWN AND REFERED TO  
8 By ALL MEN AS HIS (5) CAUSE(S) OF ACTION;

9 CAUSE ONE; FREE AND UNOBSTRUCTED MOVEMENT OF PAPERWORK  
10 CAUSE TWO; AVAILABILITY OF COMPIDENT AND PROFFESIONAL MEDICAL CARE  
11 CAUSE THREE; A SAFE AND DESEASE FREE DETENTION ENVIRONMENT  
12 CAUSE FOUR; FAILURE TO PROVIDE ADEQUIT FOOD SUSTENANCE  
13 CAUSE FIVE; FAILING TO PROVIDE AN UNCROWDED PLACE OF DE-  
14 TENTION.

15 (1)

1 PLAINTIFF NOW STATES AS FOR CAUSE ONE; THAT THE  
 2 MONTGOMERY COUNTY DETENTION FACILITY, AND MEMBERS  
 3 OF ITS STAFF, KNOWN IN PART AS JOHN & JANE DOE'S,  
 4 AND IN PART AS; SHERIFF D.T. MARSHALL, DIRECTOR GINA  
 5 SAVAGE, BOOKING DESK OFFICERS LT FINLEY, MAJOR ROBISON,  
 6 ADMINISTRATIVE CLERK IN CHARGE, INCOMING, MAILS, MS A  
 7 BROWN, ADMINISTRATIVE CLERK IN CHARGE, OUTGOING MAILS,  
 8 MS WRIGHT, HAVE ENGAGED IN AN INTENTIONAL, CONSPIRING  
 9 MANNER, TO DESTROY, DELAY, AND/OR OTHERWISE, OBSTRUCT  
 10 THE NATURAL MOVEMENT OF BOTH, INNER OFFICE MAILING(S),  
 11 DIRECTED FOR REQUESTED NEEDS OF NECESSITY, SUCH AS;  
 12 PERSONAL HYGIENE ITEMS, MEDICAL ATTENTION, MEDICINES,  
 13 CONTINUING EXAMINATIONS, FAMILY CORRESPONDENCES, LEGAL  
 14 INFORMATION, LEGAL REPRESENTATIONS, LEGAL REQUESTS,  
 15 GRIEVANCES, ETC AND U.S. MAILING(S) OF PERSONAL AND  
 16 LEGAL NATURE TOO, DURING A 28 DAY INCARCERATION IN  
 17 THE YEAR 2005 AND A 47 DAY INCARCERATION FROM OCTOBER  
 18 21<sup>ST</sup> TO DECEMBER 5<sup>TH</sup> OF 2006.  
 19 PLAINTIFF FURTHER STATES; THAT THESE ACTIONS OF DEFENDANTS  
 20 HAVE RESULTED IN, MENTAL ANGUISH, LOSS OF HEALTH, LOSS OF  
 21 PROPERTY, LOSS OF LEGAL RIGHTS, LOSS OF FUTURE REVENUES, & HE  
 22 HAS ALSO ENDURED PHYSICAL PAIN AND SUFFERING, AS A RESULT  
 23 OF DEFENDANTS ACTIONS.

1 PLAINTIFF NOW STATES AS FOR CAUSE TWO; THAT THE  
2 "MONTGOMERY COUNTY DETENTION FACILITY", ITS IN HOUSE  
3 MEDICAL PROVIDER, "SOUTHERN HEALTH PARTNERS", SPECIFIC  
4 EMPLOYEE'S, OF THAT COMPANY, NAMELY; DR NICHOLS,  
5 OTHER JANE DOE'S OF NURSING STAFF, SHERIFF  
6 D. T. MARSHALL, AND DIRECTOR GINA SAUSAGE, HAVE ENGAGED  
7 IN PRACTICES, POLICYS AND PROCEDURES BY WHICH PLAINTIFF  
8 HAS BEEN DENIED, CONTINUEING EXAMINATIONS OF PRE-  
9 EXCISTING, LIFE THREATENING, MEDICAL CONDITIONS, AND  
10 MEDICINES THAT HAVE BEEN PRESCRIBED BY OTHER MEDICAL  
11 AUTHORITY THAT INTENDED TO PRESERVE OR MAKE BETTER  
12 PLAINTIFFS MEDICAL CONDITION(S), AND HAVE REFUSED TO  
13 ADMINISTER OR ALLOW CERTAIN MEDICINES, SIMPLY BECAUSE  
14 THEY ARE CONSIDERED A NARCOTIC SUBSTANCE, AND IT  
15 IS CONTRARY TO THEIR POLICY AND HAVE DONE SO WITH  
16 NO REGARD TO PLAINTIFFS BASIC HUMAN RIGHT TO LIFE.  
17 DEFENDANTS HAVE ENGAGED IN THIS PRACTICE DURING THE  
18 PLAINTIFFS 28 DAY PERIOD OF INCARCERATION IN THE YEAR  
19 OF 2005 AND A 47 DAY INCARCERATION PERIOD FROM  
20 OCTOBER 21<sup>ST</sup> TO DECEMBER 5<sup>TH</sup> OF 2006.

21 PLAINTIFF FURTHER STATES; THAT THESE ACTIONS OF,  
22 THESE DEFENDANTS, HAVE RESULTED IN, MENTAL ANGUISH,  
23 AND PERMINATE LOSS OF HEALTH, AND HE HAS ENDURED  
24 UN-NESSASARY PAIN & SUFFERING, AS A RESULT OF  
25 DEFENDANTS ACTIONS

1 PLAINTIFF NOW STATES AS FOR CAUSE THREE: THAT THE  
 2 "MONTGOMERY COUNTY DETENTION FACILITY", SHERIFF D. T.  
 3 MARSHALL, DIRECTOR GINA SAVAGE, LT FINLEY OF BOOKING, AND  
 4 CAPTAIN PALMER/BYRD ALONG WITH OTHER JANE & JOHN DOE'S,  
 5 EMPLOYEE'S OF THE FACILITY HAVE REPEATEDLY DENIED OR ALL  
 6 TOGETHER IGNORED REQUESTS BOTH VERBAL AND WRITTEN,  
 7 TO SANITIZE THE FACILITY OR TO PROVIDE CHEMICALS TO  
 8 INMATE POPULATION TO EXTRACATE FACILITY STRUCTURE,  
 9 OF ITS NEAR EPIDEMIC LEVELS OF SUCH CONTAGIOUS  
 10 DISEASES, OF STAFF INFECTION, RINGWORM, EXEMA, AND  
 11 SORIESIS AND HAVE THEN IN TURN CREATED A MEDICAL  
 12 SYSTEM THAT REQUIRES PLAINTIFF TO PAY FOR MEDICAL  
 13 TREATMENTS AFTER CONTRACTING SAID DISEASE, OR TO  
 14 SIGN A DEBIT VOUCHER FOR SAME, DEFENDANTS HAVE  
 15 ENGAGED IN THE DISREGARD OF PLAINTIFF'S BASIC RIGHT  
 16 TO LIVE IN A HEALTHFUL ENVIRONMENT DURING A 28 DAY  
 17 INCARCERATION IN THE YEAR OF 2005 AND A 47 DAY  
 18 INCARCERATION PERIOD FROM OCTOBER 21<sup>ST</sup> TO DECEMBER  
 19 5<sup>TH</sup> OF 2006

20 PLAINTIFF FURTHER STATES; THAT THESE ACTIONS OF  
 21 THESE DEFENDANTS, HAVE RESULTED IN MENTAL ANGUISH,  
 22 A LOSS OF HEALTH, A CLEAR AND PRESENT DANGER  
 23 TO HIS PRE-EXISTING MEDICAL CONDITIONS, PERMINATE  
 24 PHYSICAL SCARING, AND UN-NECESSARY PAIN & SUFFERING.

1 PLAINTIFF NOW STATES AS FOR CAUSE FOUR; THAT THE  
2 "MONTGOMERY COUNTY DENTIN FACILITY", SHERIFF D. T.  
3 MARSHALL, DIRECTOR GINA SAVAGE, SOUTHERN HEALTH  
4 PARTNERS, DR NICHOLS, AND OTHER JANE AND/OR JOHN DOES  
5 AS NUTRICIANISTS FOR THE FACILITY HAVE CREATED A  
6 FEDERALLY NON-COMPLIANT, NUTRICIANALY DEFICIENT MENU  
7 AND HAVE FORCED PLAINTIFF TO CONSUME THIS MENU, BY  
8 HAVING NO OTHER OPTIONS AVAILABLE FOR PLAINTIFFS  
9 SUSTENANCE, DESPITE PLAINTIFF'S PHYSICAL AND MEDICAL  
10 REQUIREMENTS, DURING A CONTINUEING 47 DAY PERIOD  
11 OF INCARCERATION FROM OCTOBER 21<sup>ST</sup> TO DECEMBER  
12 5<sup>TH</sup> OF 2006

13 PLAINTIFF FURTHER STATES; THAT THESE ACTIONS, OF  
14 THESE DEFENDANTS, HAVE RESULTED, AT LEAST IN PART  
15 FOR THE CONTINUEING DECLINE, OF PLAINTIFFS, PHYSICAL  
16 MEDICAL CONDITION, AND HE HAS SUFFERED MENTAL  
17 ANGUISH, ALONG WITH UN-NESSASARY PAIN & SUFFERING

18 (5)



1 PLAINTIFF NOW STATES AS FOR CAUSE FIVE; THAT THE  
2 MONTGOMERY COUNTY DETENTION FACILITY, SHERIFF  
3 D.T. MARSHALL AND DIRECTOR GINA SAVAGE AND OTHER  
4 UNKNOWN JOHN AND JANE DOE'S HAVE SYSTEMATICALLY  
5 ENGAGED IN A POLICY AND/OR PROCEDURE TO OVER-  
6 CROWD SAID FACILITY, BEYOND FEDERALLY MANDATED  
7 POPULATION LIMITS, OF NUMBERS OF INMATES, TO  
8 BE COMFORTABLY HOUSED AT M.C.D.F. AND WHERE BY  
9 IN DOING SO, HAVE CONTRIBUTED TO PLAINTIFFS  
10 DECLINE OF PHYSICAL HEALTH CONDITIONS, DECLINE OF  
11 EMOTIONAL WELL BEING, AND HAVE CONTRIBUTED NEW  
12 MEDICAL PROBLEMS TO PLAINTIFF, BY THINNING OF  
13 AVAILABLE M.C.D.F.(S) RESOURCES IN AREAS AS MENTIONED  
14 PREVIOUSLY IN CAUSE'S ONE, TWO, THREE AND FOUR OF THIS  
15 COMPLAINT. PLAINTIFF FURTHER STATES, THAT TO THE  
16 BEST OF HIS KNOWLEDGE, OVER-CROWDING, PRACTICES  
17 DID OCCUR DURING A PERIOD OF 51 DAYS OF INCARCERATION  
18 FROM OCTOBER 21<sup>ST</sup> TO DECEMBER 10<sup>TH</sup> 2006 AND BEYOND.  
19 PLAINTIFF FURTHER STATES; THAT THESE ACTIONS OF  
20 DEFENDANTS RESULTED IN, MENTAL ANGUISH, LOSS OF  
21 MENTAL HEALTH, AND LOSS PHYSICAL HEALTH AND  
22 WELL BEING & HE HAS SUFFERED, PHYSICAL PAIN  
23 AND SUFFERING, AS A RESULT OF DEFENDANTS ACTIONS.

1 NOW COMES PLAINTIFF; WHEREBY PLAINTIFF SEEKS TO  
 2 "AMEND DAMAGES" SOUGHT IN THIS CASE TO READ  
 3 AS FOLLOWS;

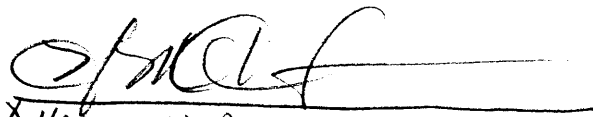
4 1) FOR DEFENDANTS, TO DISCONTINUE IT PRACTICES,  
 5 POLICIES, AND PROCEDURES AS DESCRIBED IN COUNTS  
 6 ONE THRU FIVE, AS AMENDED, AND TO DISPERSE ITS  
 7 PRESENT STAFF OF EMPLOYEE'S, TO RE-ORGANIZE SAME  
 8 AS TO MAKE BETTER, IN ORDER TO MEET BASIC HUMAN  
 9 NEEDS FOR QUALITY OF HEALTH, WETHER PHYSICAL OR  
 10 EMOTIONAL, AND TO HOUSE BY HIGH CRIME, ON BOTH  
 11 SIDES, OF A SEGREGATION, BY INMATES BEING DETAINED  
 12 OR INCARCERATED SERVING TIME, NOT TOGETHER.

13 2) PLAINTIFF SEEKS THAT DEFENDANTS BE ORDERED TO  
 14 STAFF AND FUND A NEW ENTITY, COMPRISED OF PROFESSIONALS  
 15 INVOLVED IN MEDICAL, LEGAL, AND PSYCHOLOGICAL FIELDS.  
 16 THE NEW ENTITY SHOULD BE STAFFED WITH NO LESS THAN  
 17 6 PERSON'S, AND BE REFERED TO AS "THE LIASONS OFFICE"  
 18 AND SAID ENTITY, BE CHARGED WITH ASSISTING INMATES  
 19 HOUSED AT COUNTY LEVEL DETENTION FACILITIES,  
 20 WITH MEDICAL, LEGAL, EDUCATIONAL, CORRISPONDENCE, AND  
 21 ANY OTHER BASIC RIGHTS NEED. SAID ENITY SHOULD ALSO  
 22 WATCH-DOG THE BEHAVIOR OF CORRECTION FACILITY STAFF  
 23 AND INMATES, AND SEE BY WAY OF HIGHER AUTHORITY  
 24 THAT BASIC HUMAN RIGHTS SHALL BE MET. ADDITIONALLY  
 25 PLAINTIFF PRAYS THAT INCURRED COSTS, TO INITIATE  
 26 "THE LIASONS OFFICE" SHOULD BE DERIVED FROM FUNDS.

1 THAT ARE ALREADY SUBSIDIZED FUNDS GIVEN TO  
2 THE COUNTY, ALLOCATED BY FEDERAL GOVERNMENT.

3 3) ADDITIONALLY PLAINTIFF SEEKS OF DEFENDANTS  
4 MONETARY DAMAGES IN THE AMOUNT OF "TEN  
5 MILLION AND "100'S DOLLARS" (\$10,000,000.00) AS FOR  
6 COMPENSATION, FOR MENTAL ANGUISH, LOSS OF HEALTH,  
7 LOSS OF PROPERTY, LOSS OF LEGAL RIGHTS, LOSS OF FUTURE  
8 REVENUES AND PAIN AND SUFFERING.

9 GIVEN THIS 11<sup>TH</sup> DAY OF DECEMBER, 2006

10   
11 X HAROLD M. ABRAHAMSON JR.

(8)